

REMARKS

Claims 1 - 26 remain active in this application. No amendments have been presented and no new matter has been introduced into the application.

Restriction has been required between the inventions, as identified by the Examiner, as recited in Group I, claims 1 - 11, 19 - 22 and 26, said to be drawn to "image decoding" and Group II, claims 12 - 18 and 23 - 25, said to be drawn to "format type compression". Election for further prosecution of the invention of Group I has been made with traverse, above.

The requirement for restriction is respectfully traversed as inadequately identifying the line of distinction the Examiner considers to exist between the inventions the Examiner has identified. The Examiner's entire discussion of the distinction between the identified inventions is limited to the above-quoted language and the indication that the inventions are considered to be related as combination and subcombination but without indicating which identified invention is considered to be the combination and/or which identified invention is considered to be the subcombination. In this regard, the requirement for restriction also contains an advisory statement of conditions under which non-elected claims in a divisional application may be subject to a statutory or non-statutory double patenting rejection.

It is respectfully submitted that the statement of the requirement for restriction fails to provide adequate identification of the inventions and the line of distinction therebetween in order to respond to an improper rejection for double patenting in any divisional application that may be filed. Accordingly, it is

respectfully requested that such clarification of the requirement for restriction adequate for such a response be provided in the next office action. It is also respectfully submitted that unless such adequate clarification is, in fact, provided in the next action, the requirement should be withdrawn.

Since all requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that consideration on the merits of at least the elected claims is now in order. Early and favorable action is respectfully requested.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



Marshall M. Curtis
Reg. No. 33,138

Whitham, Curtis, Christofferson & Cook, P. C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190

(703) 787-9400
Customer Number: **30743**